

**THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** is scheduled to be held on **MONDAY, February 27, 2012**, following the meetings of any scheduled Committees at **6:04 p.m.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**CALL TO ORDER**

*In accordance with the Freedom of Information Act, the electronic and print media were duly notified.*

**APPROVAL OF MINUTES:**

<b>Special Council</b>	<b>December 1, 2011</b>
<b>Public Hearings: Bills 11-41 - 11-44</b>	<b>January 23, 2012</b>
<b>Regular Council Meeting</b>	<b>January 23, 2012</b>

**PUBLIC DISCUSSION** - Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items only.

***COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)***

**EXECUTIVE SESSION** to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the County; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

**SPECIAL RECOGNITIONS AND PRESENTATIONS:**

**Timberland High School Football Team  
Goose Creek High School Football Team  
Bishop England High School Football Team  
Whitesville Fire Department**

**PROCLAMATION** establishing March 2012 as **Irish-American Heritage Month** in Berkeley County, South Carolina.

**CHAIRMAN OF COUNTY COUNCIL**

**REPORTS FROM STANDING COMMITTEES:**

1. **Committee on Finance**  
Council Member, Mr. Jack H. Schurlknight, Chairman
  - a. 2011 County Audit
2. **Committee on Land Use**  
Council Member, Mr. Phillip Farley, Chairman
3. **Committee on Public Works and Purchasing**  
Council Member, Mr. Caldwell Pinckney, Jr., Chairman
  - a. Construction Contract Award for Mourning Dove Drive and Firehouse Road.
  - b. Landfill Gas Expansion for Closure of Cells 1-4 MWS.
  - c. Purchase of 14 New Roll Off Cans.
  - d. Purchase of two 2012 Freightliner Roll-Off Trucks.
  - e. Purchase of a New Bar Screen at the LBWWTP.
4. **Committee on Justice and Public Safety**  
Council Member, Mr. Steve C. Davis, Chairman
5. **Committee on Water and Sanitation**  
Council Member, Mr. Robert O. Call, Jr., Chairman
  - a. Proposed Ground Lease and Waste Utilization Agreements with **Coastal Biodiesel Group, Inc. ("CBD")**.
  - b. Proposed Ground Lease and Waste Utilization Agreements with **McGill Environmental Systems**.
  - c. Proposed Ground Lease and Waste Utilization Agreements with **BioEnergy**.
  - d. 8" CIPP Sectional Point Repairs.
6. **Committee on Planning and Development**  
Council Member, Mrs. Cathy S. Davis, Chairman
7. **Committee on Community Services**  
Council Member, Mr. Timothy J. Callanan, Chairman
  - a. **CDBG** Grant – St. Stephen Library
8. **Committee on Human Services**  
Council Member, Mr. Dennis Fish, Chairman

**THIRD READING:**

1. **Bill No. 11-19**, an **ordinance** authorizing (1) the execution and delivery of (a) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between Berkeley County, South Carolina (the "county") and **HLIT IV SC-1, L.P.** and **HLIT IV SC-2, L.P.** and (b) a Second Amended and Restated Fee-In-Lieu of Tax and Incentive Agreement by and between the county and **HW BERKELEY PHASE II-A, LLC**, **HW**

**BERKELEY PHASE II-B, LLC and HW BERKELEY PHASE II-C, LLC**, in connection with investment in the county; and (2) other matters relating to the foregoing.  
[Recommended by Committee on Finance]

2. **Bill No. 11-45, Request by Amy Murray for Fred Holseberg**, located at 1880 N. Main St., Summerville, TMS #222-13-06-011 (4.40 +/- Acres) from **R-1, Single Family Residential District to GC, General Commercial District**. Council District 4.
3. **Bill No. 11-46, Request by Giles Branch for Marion's Run, LLC**, located on Clements Ferry Road adjacent to Legrand Blvd, Charleston, TMS #271-00-02-035 (17.95 +/- Acres) from **R-4, Multi-Family Small Scale District to R-5, Multi-Family Large Scale District**. Council District 8
4. **Bill No. 11-47, Request by Maxie Gadsden**, located at 3484 Steed Creek Road, Huger, TMS #202-00-00-012 (0.42 +/- Acres) from **Flex-1, Agricultural District to RNC, Rural and Neighborhood Commercial District**. Council District 8
5. **Bill No. 11-48**, an ordinance of the County Council of Berkeley County providing for the amendments of that certain **Water Purchase and Supply Agreement** between the **Lake Marion Regional Water Agency** and Berkeley County, South Carolina; and other matters relating thereto.

#### **FIRST READING:**

1. **Bill No. 12-01, Request by Charlie O. Howard, II for Marshal Manigault, Jr.** located at 1616 North Highway 52, Moncks Corner, TMS #103-00-02-004 (4.0 +/- Acres) from **Flex-1, Agricultural District to RNC, Rural Neighborhood Commercial District**. Council District 8.
2. **Bill No. 12-02**, an ordinance providing for the allocation of revenues generated by the **Berkeley/Williamsburg Joint Industrial and Business Park**; repealing Ordinance No. 96-1-2, as amended, in its entirety; and repealing all resolutions pertaining to the allocation of revenues generated by the Joint Industrial and Business Park in the entirety.

#### **RESOLUTIONS:**

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2011-2012 Berkeley County Budget** for County purposes other than as specified in said budget.
2. **RESOLUTION** designating **surplus property** of Berkeley County and authorizing the sale of surplus property.  
[Recommended by Committee on Public Works and Purchasing]

3. **RESOLUTION** in support of the issuance by the South Carolina Jobs-Economic Development Authority of its **Solid Waste Disposal Facility Revenue Bonds**, in one or more series pursuant to the provisions of Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended, in the principal amount of not exceeding \$30,500,000.  
[Recommended by Committee on Finance]
4. **RESOLUTION** for the authorization to file and to provide matching funds for a **Community Development Block Grant** application to expand library facilities in the **St. Stephen** community.
5. **RESOLUTION** of Berkeley County Council to provide for the adoption and implementation of **written bond compliance procedures** from time to time and other matters related thereto.  
[Recommended by Committee on Finance]
6. **RESOLUTION** to approve a **Mutual Aid Agreement** between **Berkeley County Sheriff's Office** and **Florence County Sheriff's Office**.

#### **NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.**

AERONAUTICS COMMISSION  
CHARLESTON AREA TRANSPORTATION STUDY  
CHARLESTON REGIONAL DEVELOPMENT ALLIANCE  
CONSTRUCTION BOARD OF APPEALS  
COUNCIL OF GOVERNMENTS  
DEVON FOREST SPECIAL TAX DISTRICT  
GOOSE CREEK RECREATION COMMISSION  
LIBRARY BOARD  
MENTAL HEALTH BOARD  
PIMLICO TAX DISTRICT  
SPECIAL FIRE TAX DISTRICT  
TAX ASSESSMENT REVIEW BOARD  
ZONING APPEALS BOARD

#### **CORRESPONDENCE**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

#### **ANNOUNCEMENTS**

**THE MARCH 2012, REGULAR MEETING OF BERKELEY COUNTY COUNCIL, WILL BE HELD ON MONDAY, MARCH, 26, 2012, IMMEDIATELY**

**FOLLOWING PUBLIC HEARINGS AND ANY SCHEDULED COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

**ADJOURNMENT**

**EXECUTION OF DOCUMENTS BY COUNCIL**

**PUBLIC DISCUSSION**

**COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.**

February 22, 2012  
S/Catherine R. Windham  
Interim Clerk of County Council